

FROM THE STEERING COMMITTEE OF SENATE

RE: DEGREE NOMENCLATURE

At its meeting of 6 April 1990, Senate established the Ad Hoc Committee on Degree Nomenclature with a mandate to consider a request for a "Mistress of Arts" degree, and the general issue of nomenclature for all degrees issued by Concordia University.

The report of the Ad Hoc Committee, (document US-91-2-D18), which was presented and discussed at the Senate meeting of 3 May 1991, recommended that the request for a "Mistress of Arts" degree be denied, and that the degree nomenclature be changed to reflect the degrees themselves, with nomenclature as follows: Baccalaureate, Magisteriate, Doctorate. (And that the current abbreviations, ie., B.A., M.A., and Ph.D. be used in conjunction with this new nomenclature for clarity's sake). As a result of the discussion, the Steering Committee drafted the following resolution which was circulated to Faculty Councils, the Board of Graduate Studies, and student associations:

- that Senate approve the adoption of the nomenclature for degrees as proposed in document US-91-2-D18 for all new incoming students effective 1 June 1992;
 - that upon completion of their degree requirements, all students currently registered in degree programmes be entitled to receive their degrees in either the existing or new degree nomenclature;
 - that all graduates who previously have been awarded a Concordia degree be entitled to request that their degrees be re-issued in the new degree terminology;
- and
- that the proposed legislation be in effect for 5 years, and be subject to review and re-approval at the end of that period; and that students graduating during this period of time have the option of choosing either the new or the old degree nomenclature.

As a result of consideration of reactions received, as contained in document US-92-2-D3, the Steering Committee recommends to Senate the following resolution:

BE IT RESOLVED:

- THAT SENATE APPROVE THE ADOPTION OF THE NOMENCLATURE FOR DEGREES AS PROPOSED IN DOCUMENT US-91-2-D18, IN ADDITION TO AND AS AN OPTION TO THE EXISTING DEGREE NOMENCLATURE;
 - THAT UPON COMPLETION OF THEIR DEGREE REQUIREMENTS, ALL STUDENTS BE ENTITLED TO RECEIVE THEIR DEGREES IN EITHER THE EXISTING OR NEW DEGREE NOMENCLATURE;
 - THAT ALL GRADUATES WHO PREVIOUSLY HAVE BEEN AWARDED A CONCORDIA DEGREE BE ENTITLED TO REQUEST THAT THEIR DEGREES BE RE-ISSUED IN THE NEW DEGREE TERMINOLOGY;
- AND
- THAT THE PROPOSED LEGISLATION BE IN EFFECT FOR 5 YEARS, AND BE SUBJECT TO REVIEW AND RE-APPROVAL IN THE FINAL YEAR OF THAT PERIOD.

28 January 1992



Concordia

UNIVERSITY

Ad Hoc Committee on Degree Nomenclature

INTERNAL MEMORANDUM

TO: Mr. John Noonan
Secretary of Senate

FROM: Michael Oppenheim
Chair, Ad Hoc Committee on Degree Nomenclature, and
Chair, Department of Religion

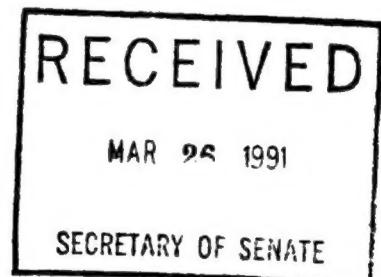
DATE: 22 March 1991

Please find enclosed the Report of the Senate Ad Hoc Committee on Degree Nomenclature. In addition, you will find appended to the Report, an opinion rendered by Me Michèle Gamache, Legal Counsel, concerning the question of degree nomenclature within the context of the gender-neutral language issue.

Should the members of Steering Committee, or Senate, require further information or clarification, I would be pleased to provide it.

MO/pg

Enclosures



REPORT OF THE SENATE AD HOC COMMITTEE ON DEGREE NOMENCLATURE

The establishment of the Ad Hoc Committee on Degree Nomenclature was approved by Senate at its meeting of 6 April 1990. At that time the membership of the Committee was set as well as the mandate. The mandate consisted of two parts:

1. To consider and recommend to Senate with respect to the request from Ms. Carolyn Gammon for a Mistress of Arts degree.
2. To consider and report to Senate on the general issue of nomenclature for all degrees granted by Concordia University.

In coming to its recommendations, the Committee took a number of steps in order to broaden its understanding of the issue of degree nomenclature as well as to provide a mechanism for members of the University community to forward their concerns and suggestions. The Committee studied the original documentation that was forwarded to it by Senate, including the request by Ms. Carolyn Gammon. It asked for, and examined, a document from Concordia's Legal Counsel, Me Michèle Gamache, concerning the powers of the University to issue degrees and the legal implications of making changes in the nomenclature of degrees. The Committee also requested, through the office of the Vice-Rector, Academic, research into degree titles used at universities in North America and the Commonwealth and also the

definitions, usages, and origins of a number of these titles. In addition, in November it placed advertisements in Concordia's Thursday Report and The Concordian, inviting "individuals from all sectors of our University community to submit their views and recommendations on this issue" of degree nomenclature. Responses, which were few in number, were received and examined.

During the course of its meetings a number of observations and concerns were expressed. These included: the challenge that the issue of degree nomenclature raises for Concordia; the highly public nature of the request and the historical importance that a consideration of this issue has taken on; the responsibilities that Concordia has to all of its students, staff, and faculty to create and maintain an environment that is free of sexism, racism, and other elements of discrimination; the place of degree titles in the emergence and development of universities; and the necessity that any changes not adversely effect past, present, or future students in terms of either job opportunities or continuation of their university careers.

At its meeting of 13 February 1991, members of the Committee unanimously approved two motions:

the recommendation that Senate deny the request from Ms. Carolyn Gammon for a Mistress of Arts degree,

and,

the recommendation that Senate make a change in degree nomenclature to reflect the degrees themselves, with nomenclature as follows: Baccalaureate, Magisteriate, Doctorate. (The Committee also recommends that the current abbreviations, i.e., B.A., M.A., and Ph.D., be used in conjunction with this new nomenclature, for clarity's sake.)

The idea that Concordia University offer a Mistress of Arts degree had no support from the Committee. Although this request brings attention to the sexist nature of the Master's title, the Committee agreed that Concordia could not legally offer a special degree title for one or a few persons. The Committee also noted that there were legal difficulties in terms of securing the recommendations of the Québec professional corporations and the Conseil des universités, as well as the subsequent approval of the government, in acceding to this request. Finally the Committee believed that "an alternative gender-neutral term", as suggested by Ms. Gammon, would be a more appropriate step in the effort to achieve equity and equality by the University community.

While most of the Committee believed that changes in degree nomenclature were absolutely necessary, in a later discussion, one member voiced a dissenting opinion. Further, it was very difficult to decide upon the most appropriate new names for the title. For example, there was sympathy for the suggestion that the nomenclature of many French universities be used,

i.e., baccalaureat, maîtrise, and doctorat. These names are of a gender-neutral character and refer to the diplomas instead of the persons receiving them. However, the Committee believed that many members of the University would have difficulty with this change.

The Committee encountered the most difficulty over discovering an appropriate term for the "Master's Degree". There is a degree of "Masterate" used in one of the Commonwealth countries, but it was felt that this term is too closely connected with the word "master" to be helpful. The word "Magisteriate" is not a current word. However, it avoids the connection with "master", while "Magister" has been used at times for teacher. Further, the Legal Counsel has pointed out that the newly coined word "Magisteriate" could raise difficulties at the level of both the Conseil des universités and the professional corporations. However, the Committee believed that in offering a new word to replace the term "master", Concordia would be indicating that an entirely novel solution was necessary to redress the sexist connotations of the traditional word.

Thus, the Committee understood the seriousness, both legal and moral, of changing the names of degrees. However, it believed that changes were required.

The current degree nomenclature reflects the origin and early development of universities. For most of the seven hundred years since universities first

evolved and were established, women were excluded from being students, receiving degrees, or teaching. The first such institutions, as with Salerno (established as a university in 1231), Bologna, Paris (1231), Oxford and Cambridge (1208), were made up of "masters", who taught, and students. Often these groups were part of separate guilds, but in every case the groups were exclusively male. Universities developed from the medieval model, undergoing changes in reaction to wider political, social, and demographic changes in the outside society. At times they tried to remain independent from outside interference, and at other times some were mere tools of secular or ecclesiastical powers. The greatest changes occurred in the last one hundred and fifty years, during which time universities began to be opened to wider sections of the population and to greatly expand their curriculum. Still, for example, it was not until 1867 that the University of Zurich was the first in Europe to allow women to attend university-level courses. Prussian universities did not admit women until after 1900, and Oxford and Cambridge battled against admitting graduates of women's colleges to university degrees up until the twentieth century.

All of the current degree titles, i.e., Bachelor, Master, and Doctor refer to the person, rather than to the degree itself and they all have either explicit or implicit reference to men. The suggested new titles refer to the diplomas of the person receiving them. According to the Oxford dictionary, the origin of the word "Bachelor" is not clear. The term has been used for degrees from the fourteenth century, but it also refers to a single man. On the other hand,

the term "Baccalaureate" is widely used for degrees. The word "Master" has very early use for universities and designates a person who has a right to teach at a university. However, the first definition proposed in the Oxford dictionary is "a man having control or authority". The word "Magisteriate" is not a current word, but it would be recognizable by other universities, since it keeps the initials "M.A.". The term "Doctor" also proclaimed a person to have a right to teach and is recognized as early as the fourteenth century as the highest degree offered by a university. However, the masculine connotation of the term is shown by the infrequent use of the term "Doctoress", to refer to a female doctor. Still, the Committee felt that this masculine connotation was in decline. The term "Doctorate" has been in use for degrees from the seventeenth century.

The Committee's proposed changes in degree titles are seen as part of the ongoing history of universities, in which wider groups are admitted as full participants. The full acceptance of women and other groups historically excluded from the University must mean more than the placing of women into already established roles. It means that the openness of the institution itself has to be examined and that changes might be incumbent. The movement by Concordia University toward gender-neutral degree titles is, in the view of the Committee, one such change. Through the bold changes suggested here, Concordia has the opportunity to be a leader among North American universities in the quest for gender equity.

Respectfully submitted to Senate by the Senate Ad Hoc Committee on
Degree Nomenclature:

Dr. Michael Oppenheim (Chair)	Associate Professor Judith Kelly
Professor Rama B. Bhat	Sister Eileen McIlwaine
Ms. Carol Foster	Ms. Tammy Powell
Associate Professor Martin Franklin	Associate Professor Elizabeth Sacca
Me Michèle Gamache (Resource)	Dr. Claudie Solar
Ms. Maureen R. Habib (Secretary)	Associate Professor Katherine Waters

TO: Members of the Senate Ad Hoc Committee on Degree Nomenclature

FROM: Me Michèle Gamache, Legal Counsel

DATE: 31 October 1990

RE: Degree nomenclature within the context of the gender-neutral language issue

This opinion concerns the question of degree nomenclature within the context of the gender-neutral language issue. First, we shall discuss the legal framework of the power to award degrees which is specific to universities. With respect to Concordia University, this framework is composed of its own Charter, its By-Laws, the *Loi sur les établissements d'enseignement de niveau universitaire* and certain regulations adopted under the *Code des professions* and the *Loi sur l'instruction publique*.

Originally, the power to award degrees was considered as a franchise, i.e., a privilege or part of a prerogative granted by the Crown to one of its subjects. Indeed, the Crown was defined as the "source of all privileges and honours". Therefore, some universities were created by Royal Charter (Laval, McGill and Bishop) in order for them to issue degrees. As for Concordia University, through its special incorporation Act, the Government formally recognized the power of this institution to award degrees.

This power flows from Article 1, paragraph (b), of the University's Charter, which reads as follows:

- " 1. The persons named in the petition and their successors duly elected are hereby constituted a body corporate and politic without capital stock and without pecuniary gain under the name of "Sir George Williams College" for the following purposes: [...]
- (b) To establish faculties, departments and classes and to prescribe the nature and extent of the courses and subjects to be carried on and the instruction to be given therein in connection with the objects for which the corporation is formed and to grant

and issue degrees, diplomas and certificates evidencing the standards attained by those taking advantage of the college's educational facilities.¹

Vested in the Board of Governors², the power to award degrees, with the exception of honorary degrees, has been delegated to Senate since 1986³. In accordance with the *Membership and Powers of Senate, By-Law*, adopted by the Board, it is Senate which determines the conferment of certificates, diplomas and degrees⁴ and recommends the issuance of honorary degrees.⁵

The nomenclature of diplomas is not a matter expressly mentioned in the Charter or the By-Laws of the University. However, this matter is so closely related to the power to award degrees, that we may argue that it has become the responsibility of Senate since 1986. It shall be noted that, subject to the Board of Governors' superintending and reforming power⁶, Senate is the final authority in all matters pertaining to the academic programs⁷. Thus, academic regulations related to graduate and undergraduate studies have been adopted by Senate. To some extent, these regulations implicitly regulate the nomenclature of degrees.

As for the *Loi sur les établissements d'enseignement de niveau universitaire*, enacted by the Québec Parliament in 1989, its aim is to put an end to the activities of "so-called" universities in the Province, which falsely pretend that they offer university-level teaching.

¹An *Act to Incorporate Sir George Williams University*, (1948) S.Q., c. 91.

²*Idem*, Art. 6.

³*Idem*, Art. 8 and *By-Laws of Concordia University*, as amended on April 19, 1989, Art. 30, para. (g) and (i).

⁴As amended on May 6, 1988, Art. 3, para. (i), upon the recommendation of the Faculty Councils and the Board of Graduate Studies; see, *Membership and Powers of Faculty Councils, University Board of Graduate Studies, By-Law*, as amended on September 1, 1989, Art. 4 and 2, para. (iii).

⁵*Idem*.

⁶*By-Laws of Concordia University*, note 3, Art. 29.

⁷*Membership and Powers of Senate, By-law*, note 4, Art. 2.

Concordia University is one of the institutions of higher learning enunciated by this Act which may designate itself as a "University".⁸ This legislation also regulates the use of the label "universitaire" with respect to program or curriculum.⁹ However, the *Loi sur les établissements d'enseignement de niveau universitaire* does not regulate the nomenclature of degrees.

To some extent, this matter is regulated by the *Code des Professions*¹⁰. Indeed, in order to control access to the practice of the professions encompassed by this legislation, the Government has adopted regulations determining which diplomas issued by certain establishments give access to permits or specialist's certificates of professional corporations.¹¹

Before discussing these regulations, it should be noted that neither the *Loi sur le ministère de l'Enseignement supérieur et de la Science* nor the *Loi sur le Conseil des universités* regulate, expressly or implicitly, the nomenclature of degrees. However, any new academic program that a university intends to offer must be accredited by the Minister of Higher Education and Science in order to be financed; and, this Minister is responsible for the application of the *Code des professions*.¹²

The application of the above mentioned regulations to Concordia is relatively important. The diplomas mentioned in these regulations and issued by the University, give access to the permits issued by the Québec professional corporations of engineers, chemists, chartered accountants, accredited management accountants, social workers, psychologists, guidance counsellors and chartered administrators.

⁸L.Q., 1989, c. 18.

⁹*Idem*, Art. 4.

¹⁰L.R.Q., c. C-26.

¹¹*Règlement déterminant les diplômes délivrés par les établissements d'enseignement désignés qui donnent droit aux permis et aux certificats de spécialistes des corporations professionnelles*. R.R.Q., 1981, c. C-26, r.1.1, as amended.

¹²*Code des professions, supra*, note 10 , Art. 197, and Order-in-Council 2637-85, (1986) 118 G.O. 2, 166.

As an example, the nomenclature of one of these diplomas is:

In French: Baccalauréat en ingénierie (génie civil)

In English: Bachelor of Engineering (Civil Engineering)

In French, the words used in these regulations are *baccalauréat*, *licence*, and *doctorat*.

In English the words used are *Bachelor of*, *Master of* and *Doctor of...*

Thus, the French nomenclature of degrees are of a gender-neutral character. They refer to the diplomas themselves instead of the persons receiving them.

These regulations have been adopted by the Government, after consultation with the Office des professions, the Conseil des universités and the concerned educational institutions and professional corporations¹³. It is possible that a modification of these regulations should also follow the same consultation process.

As well, Article 456 of the *Loi sur l'instruction publique* states that the Minister of Education may, by regulations, prescribe a classification of teaching licenses and the standards for evaluating the formal training of teachers for the determination of their qualification. This power is exercised subject to the regulatory power of the Catholic and Protestant Committees¹⁴ and any draft by-law shall be submitted to the Conseil supérieur de l'éducation¹⁵ for preliminary examination.

For the moment, the regulations adopted in accordance with the *Loi sur l'instruction publique* and the *Loi sur le Conseil supérieur de l'éducation*¹⁶ do not contain a nomenclature

¹³*Code des professions*, *supra*, note 10, Art. 184.

¹⁴*Loi sur l'instruction publique*, L.Q., 1988, c. 84, Art. 457.

¹⁵*Idem*, Art. 458.

¹⁶L.R.Q., c. C-60, Art. 30 and *Règlement sur le permis et le brevet d'enseignement*, R.R.Q., 1981, c. C-60, r.7. A committee called *Comité de la formation des maîtres* shall be responsible for recommending the nomenclature and terminology of permits and teaching diplomas, but, we have been told that this committee has not been active for some time.

of degrees which leads to the issuance of a teaching diploma. However, it seems that the Conseil supérieur de l'éducation wishes that the Government would regulate the issuance of teaching diplomas as it does diplomas which give access to permits issued by professional corporations.

In conclusion, any modification to the nomenclature of diplomas which give access to permits issued by professional corporations would necessitate the intervention of the Government. As for all other degrees issued by the University, Senate is solely responsible for any modification of their nomenclature, subject to the Board of Governors' superintending and reforming power.

It should be noted that Article 53 of the *Loi sur l'interprétation*, which applies to all provincial Acts, states that unless the contrary intention appears, words importing the masculine gender are considered to include feminine. This Act applies to the University's Charter, the *Code des professions* and implicitly to all regulations adopted under a provincial Act.

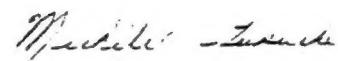
Despite Article 53 of the *Loi sur l'interprétation*, the National Assembly has endeavoured to use gender-neutral words, such as the term "person", in the Acts it adopts. Words of a gender nature are used in the French version of the regulations adopted under the *Code des professions*. Considering the existence of Article 53 of the *Loi sur l'interprétation* and for reasons of coherence, we do not think that the Government would agree to modify the English version of these regulations other than by using gender-neutral words.

We must keep in mind that the Government would prefer to avoid setting a precedent because of the administrative and financial costs which could result from an amending of all provincial Acts and regulations to include the feminine gender.

In this regard, it should be noted that the terms "Baccalaureate", "Doctorate" and even "Masterate" are words which can be used to name university degrees. On this matter, the undersigned consulted the *Oxford English Dictionary* (Second Edition, 1989, Clarendon Press, Oxford).

The use of the above mentioned terms in the nomenclature of diplomas should also satisfy Ms. Carolyn Gammon. In her letter dated February 6, 1990, she wrote:

"I would like to remind you that in my initial request of December 1988, I asked for the title Mistress of Arts or an alternative gender-neutral term. In my research I found titles such as Laureate of Arts, Graduate of Arts, First Degree, Second Degree, Higher University Degree, etc. I have stress the use of the word Mistress to highlight the sexism inherent in the titles Master and Bachelor, but I reiterate that a gender-neutral term would be equally as welcome."



Michèle Gamache
Legal Counsel

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